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Docket No.: 20257 US1 (C38435/128123)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
David Carl BURDICK, *et al.*

Serial No.: 09/989,554

Filed: November 20, 2001

For: **PHYTOSTEROL AND/OR  
PHYTOSTANOL DERIVATIVES**

RECEIVED

MAR - 4 2002

Examiner: Not yet assigned

Art Unit: 1618

TECH CENTER 1600/2900

New York, New York  
February 14, 2002

**INFORMATION DISCLOSURE STATEMENT UNDER RULE 1.56**

Commissioner for Patents  
Washington, DC 20231

Sir:

Applicants wish to make of record the following documents (Form PTO-1449 is enclosed). Copies of these documents are not being submitted herewith, because each was made of record in Parent Application Serial No. 09/448,356, filed November 23, 1999, to which the present application claims benefit under 35 USC §120. *See*, 37 CFR 1.98(d).

**U.S. PATENT DOCUMENTS**

A1	4,588,717
A2	4,705,875
A3	5,219,733
A4	5,502,045
A5	5,593,691

**FOREIGN PATENT DOCUMENTS**

B1	WO 96/38047
B2	WO 97/42830
B3	WO 98/06405
B4	WO 99/25361
B5	WO 00/04887
B6	EP 0 792 586 A2
B7	DE 197 50 422 C1

## OTHER DOCUMENTS

- C1 Weststrate, *et al.*, "Plant sterol-enriched margarines and reduction of plasma total- and LDL-cholesterol concentrations in normocholesterolaemic and mildly hypercholesterolaemic subjects," European Journal of Clinical Nutrition, Vol. 52, pp. 334-343 (1998)
- C2 Kuksis, *et al.*, "Fatty acid composition of individual plasma steryl esters in phytosterolemia and xanthomatosis," Lipids, Vol. 21, No. 6, pp. 371-377 (1986)
- C3 Vanhanen, *et al.*, "Serum cholesterol, cholesterol precursors, and plant sterols in hypercholesterolemic subjects with different apoE phenotypes during dietary sitostanol ester treatment," Journal of Lipid Research, Vol. 34, pp. 1535-1544 (1993)
- C4 Yanagita, *et al.*, "Cholesterol-lowering effect of Agemaki, a kind of shellfish, in mice," J. Nutr. Sci. Vitaminol., Vol. 37, pp. 313-318 (1991)
- C5 Harris, "n-3 fatty acids and lipoproteins: comparison of results from human and animal studies," Lipids, Vol. 31, No. 3, pp. 243-252 (1996)
- C6 Ling, *et al.*, "Dietary phytosterols: a review of metabolism, benefits and side effects," Life Sciences, Vol. 57, No. 3, pp. 195-206 (1995)
- C7 Derwent English language abstract of DE 197 50 422 C1 (document B5)
- C8 Eugster, *et al.*, (CA 120: 245603, Abstract of CH 681891)
- C9 Shimada, *et al.*, "Enzymatic Synthesis of Steryl Esters of Polyunsaturated Fatty Acids," JAOCS, Vol. 76, No. 6, pp. 713-716 (1999)

Applicants request that these documents be considered by the Examiner before issuance of a first office action on the merits and made of record in this file. The Examiner is also asked to initial and return a copy of the enclosed PTO-1449 form to evidence such consideration.

This Information Disclosure Statement is being filed in accordance with the following provisions:

- [x] CFR § 1.97(b)(1) Within three months of the filing date of the national application. No fee is required.

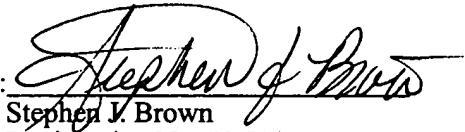
If it is determined that a fee is required as set forth in 37 CFR § 1.17(p) or 1.17(i)(1), or if any additional fees are required, please charge such fee (or credit any overpayment) to Deposit Account No. 02-4467. A duplicate copy of this document is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on February 14, 2002.

  
Stephen J. Brown, Reg. No. 43,519

Respectfully submitted,

By:



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